



Homes  
England

Date: 10 July 2020  
Our Ref: RFI3024 & RFI2962  
Tel: 0300 1234 500  
Email: infogov@homesengland.gov.uk

Making homes happen

██████████  
By Email Only

Windsor House  
Homes England – 6<sup>th</sup> Floor  
50 Victoria Street  
London  
SW1H 0TL

Dear ██████████

**RE: Request for Information – RFI3024**

Thank you for your recent email, which was processed under the Freedom of Information Act 2000 (FOIA). For clarification, you requested the following information:

*I wish to see full copies of any email correspondence with Bristol City Council from 01/01/2016 through til 31/12/2016.*

*Regarding the following subjects:*

*'Brabazon housing development'.  
'Bristol Arena'.  
'YTL Arena'.  
'Arena Island'.  
'Temple Island'.*

*Where an email has been identified please disclose the full thread for context. Please also search draft and (where possible) deleted email folders. Please include any and all attachments.*

**Response**

We are able to confirm that we do hold information that falls within the scope of your request. However, to comply with your request would exceed the appropriate limit for the cost of compliance. We therefore rely on section 12, exemption where the cost of compliance exceeds the appropriate limit under the FOIA.

The full text of the legislation can be found on the following link and we have quoted section 12 below for ease:  
<https://www.legislation.gov.uk/ukpga/2000/36/contents>

**Section 12 - Exemption where cost of compliance exceeds appropriate limit**

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

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(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

(3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.

(4) The Minister for the Cabinet Office may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority:

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

(5) The Minister for the Cabinet Office may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

#### Aggregation of Requests – Section 12(4)

Where a public authority is estimating the cost of compliance with a request, it can take into account the cost of complying with two or more requests if the following conditions laid out in Section 5 of the Fees Regulations are met:

- The requests are made by the same person
- The requests are made for similar information
- The requests are received by the public authority within any period of 60 working days

#### Requests considered under Section 12(4):

- RFI2962 received on 12 April 2020
- RFI3024 received on 11 June 2020

We have considered the current wording of your requests detailed above and in their current scope have determined that to establish where all the elements of the information is held, to locate the information, to retrieve the information and extract the information would exceed the appropriate limit in terms of timeframes. In order to ascertain this we have taken the actual time spent for RFI2962 (for which a response was issued on 11 June 2020) and the estimated time for RFI3024.

Under the terms of the Act we are not obliged to provide any information compiled in the course of our searches for RFI3024 prior to concluding section 12 is engaged.

#### **Advice and Assistance**

In compliance with the Section 45 Code of Practice (Paragraph 14) and to offer advice and assistance under section 16 of the Freedom of Information Act 2000, you may wish to consider narrowing the scope of your requests.



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Please note that due to the broad scope of your requests we cannot confirm that any further request would not also exceed the section 12 cost limit at this time.

### **Right to Appeal**

If you are not happy with the information that has been provided or the way in which your request has been handled, you may request an internal review by writing to;

The Information Governance Team  
Homes England – 6<sup>th</sup> Floor  
Windsor House  
50 Victoria Street  
London  
SW1H 0TL

Or by email to [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

You may also complain to the Information Commissioner however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link  
<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

**The Information Governance Team**  
For Homes England

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